

## PLANNED DISTRICTS

### Preliminary and Precise

**Purpose:** The purposes of the Planned District zoning process are to allow flexibility in the planning of superior developments of all types; for a mixture of land uses, such as residential and commercial in a single integrated development; an increase in density for superior residential developments; variety in lot sizes or setbacks; and/or nonconventional residential unit types.

**Code/Policy Reference:** Fremont Municipal Code Title 8, Chapter 2, Article 18.1 (P Planned District); Development Policy for Planned Districts.

### Submittal Requirements:

NOTE:

- Indicates an item which is always required.
- Indicates an item which may be required, depending on the project. The staff person who provides you this sheet will check (✓) the box if the item is required for your application.

- 1. **Preliminary Planned District:** The Zoning Ordinance provides a developer may apply for preliminary site plan approval prior to preparing detailed architectural and improvement plans. Preliminary site plan approval includes approval in principle by the City Council of the land uses, densities, general building configuration, circulation pattern and construction phasing. It should not be construed to endorse the precise location of uses, configuration of parcels or engineering feasibility, nor as a commitment by the City to adopt any subsequent precise planned district proposal.

When a preliminary planned district proposal is filed separately from a precise planned district, the following information must be submitted:

- a. A completed application form signed by:
  - (1) The current property owner(s), authorizing the project proposal.
  - (2) The billing party, acknowledging responsibility for charges.

■ b. Plans including the following items:

- (1) Vicinity map showing a one-half mile radius of the site.
- (2) Conceptual site plan.
  - (i) Juxtaposition of proposed land uses, residential densities and building intensities, delineating any proposed construction phasing.
  - (ii) Proposed system of public and/or private streets.
  - (iii) Pedestrian ways and recreation areas, existing and proposed.
  - (iv) Sites for public use, such as schools, playgrounds and other open spaces.
  - (v) Development Reserve Boundary, Toe-of-the-Hill and Ridgeline, where applicable.
  - (vi) Tree survey plan showing location, species caliper and base elevations of all existing trees with a trunk diameter of four inches or greater measured four feet above grade. Groves may be shown in an outline.
- (3) Fire hydrants within 300 feet of the project site.
- (4) All land uses surrounding the project site.
- (5) Statistics:
  - (i) Gross area of project site in acres or square feet.
  - (ii) Net areas for various land uses, residential densities and building intensities in acres or square feet.
- (6) Two copies of a current preliminary title report for projects that involve construction of a new building or expansion of an existing building footprint and/or new site improvements such as landscaping, special paving, utilities and accessory structures.

■ c. The number of plans to be submitted with the application are:

- (1) Ten (10) sets of full-sized plans, collated and folded to a size NO LARGER THAN 8" x 13".
- (2) Eighteen (18) sets of the plans reduced to 11" x 17", collated and folded to 8 1/2" x 11".

After initial review of your project has been completed, your project planner will request you submit the following materials 21 days before your public hearing or action date.

- (3) Three (3) sets of full-sized plans.
- (4) Twenty-two (22) sets of plans reduced to 11" x 17", collated and folded to 8 1/2" x 11".
- (5) One (1) set of full size reproducible vellums.

Full-sized plans submitted should be no larger than 30" x 42".

■ d. Twenty copies of a Planned District Justification Statement, describing:

- (1) Why any exception from standard ordinance requirements is warranted by the design and amenities incorporated.
- (2) Special project goals, such as dedication of open space, natural features or historic resources, or unique development or design concepts, if any.
- (3) Why the planned development will have a beneficial effect which could not be achieved under other zoning districts.
- (4) Why each phase of the development can exist as an independent unit.

☐ e. This project will be subject to the requirements of Article 21.7, Inclusionary Housing, of the Fremont Municipal Code. The Inclusionary Housing Ordinance generally requires that 15% of the units within your project be made affordable. Details and specifics of the ordinance requirements are available at the Development Services Center, Office of Housing and Redevelopment and on line at [www.Fremont.gov](http://www.Fremont.gov). Your project proposal should include a brief written statement as to how you propose to comply with the provisions of the ordinance and identify the proposed location of affordable units within the project.

■ f. One signed copy of each of the following forms:

- (1) Letter of Consent to Development Studies, signed by every owner of property in the project area (Attachment "B").
- (2) Letter of endorsement by Urban Planner for projects over 15 acres in area or involving a mix of land uses (Attachment "E").

■ g. Twenty copies of the Summary Development Table (Attachment "A").

☐ h. A statement signed by the applicant indicating whether the project site is found on the Hazardous Waste and Substances Sites List pursuant to California Government Code Section 65962.5 (Planning Form 28).

- ☐ i. Complete the Impervious Surface Area Calculation Sheet.
- ☐ j. Environmental Impact Assessment Questionnaire (Planning Form 16).
- ☐ 2. **Precise Planned District:** Precise site plan approval entitles a developer to proceed with site development, contingent on approval of any subdivision map(s) and other legally required procedures, and meeting any special conditions of approval adopted by the City Council. The precise site plan includes architectural details and project amenities as well as public improvements. Approval of the precise site plan is accomplished by adoption of an ordinance rezoning the project site to “P”.
  - a. A completed application form signed by:
    - (1) The current property owner(s), authorizing the project proposal.
    - (2) The billing party, acknowledging responsibility for charges.
  - b. Plans including the following items:
    - (1) Vicinity map showing a one-half mile radius of the site.
    - (2) Accurately dimensioned development plan showing:
      - (a) Property lines.
      - (b) Location, configuration and setbacks of all existing and proposed buildings and intended uses for the buildings and site, including occupancy classification and type of construction as defined in the Building Code.
      - (c) Sites for public uses, such as schools and playgrounds.
      - (d) Parking, vehicle circulation areas and driveways.
      - (e) Pedestrian ways and recreation areas, existing and proposed.
      - (f) Development Reserve Boundary, Toe-of-the-Hill and Ridgeline, where applicable.
      - (g) Fencing.
      - (h) Easements on the property.
      - (i) All fire hydrants within 300 feet of the project site.
      - (j) All land uses surrounding the project site.

- ☐ (3) Schematic landscape plan, new or modified.
- (4) Elevations showing:
  - (a) Each side of all proposed buildings and/or existing buildings.
  - (b) Materials and colors to be used on each elevation.
- (5) Floor plans, indicating all intended uses of each area.
- ☐ (6) Tree survey plan showing location, species, caliper and base elevations of all existing trees with a trunk diameter of four inches or greater measured four feet above grade. Groves may be shown in an outline.
- ☐ (7) Two copies of a current preliminary title report for projects that involve construction of a new building or expansion of an existing building footprint and/or new site improvements such as landscaping, special paving, utilities and accessory structures.
- c. The number of plans to be submitted with the application are:
  - (1) Nine (9) sets of full-sized plans, collated and folded to a size NO LARGER THAN 8" x 13".
  - (2) Fifteen (15) sets of the plans reduced to 11" x 17", collated and folded to 8 1/2" x 11".

After initial review of your project has been completed, your project planner will request you submit the following materials 21 days before your public hearing or action date.

- (3) Three (3) sets of full-sized plans.
- (4) Twenty-two (22) sets of plans reduced to 11" x 17", collated and folded to 8 1/2" x 11".
- (5) One (1) set of full-sized reproducible vellums.

Full-sized plans submitted should be no larger than 30" x 42".

- d. Twenty copies of the Summary Development Table (Attachment "A").
- e. One signed copy of each of the following forms:
  - (1) Letter of Consent to Development Studies, signed by every owner of property in the project (Attachment "B").

- (2) Letter of Consent to Planned District Zoning Regulations, signed by every owner of property in the project area (Attachment “C”).
  - (3) Letter of Endorsement by Professional Team (Attachment “D”).
  - (4) Letter of Endorsement by Urban Planner for projects over 15 acres in area or involving a mix of uses (Attachment “E”).
- f. Twenty copies of a Planned District Justification Statement, describing:
  - (1) Why any exception from standard ordinance requirements is warranted by the design and amenities incorporated.
  - (2) Special project goals, such as dedication of open space, natural features or historic resources, or unique development or design concepts, if any.
  - (3) Why the planned development will have a beneficial effect which could not be achieved under other zoning districts.
  - (4) Why each phase of the development can exist as an independent unit.
- g. This project will be subject to the requirements of Article 21.7, Inclusionary Housing, of the Fremont Municipal Code. The Inclusionary Housing Ordinance generally requires that 15% of the units within your project be made affordable. Details and specifics of the ordinance requirements are available at the Development Services Center, Office of Housing and Redevelopment and on line at [www.Fremont.gov](http://www.Fremont.gov). Your project proposal should include a brief written statement as to how you propose to comply with the provisions of the ordinance and identify the proposed location of affordable units within the project.
- h. A material and color sample board with an overall size no larger than 11” x 17”. The sample board shall include exterior finish material and colors for all visible surfaces including ground paving, walls, roofs, glazing systems, etc. The manufacturer’s or supplier’s names along with the color code and model numbers for each material or color shall be included on the material and color board. Any additional information needed to clearly identify the specific materials proposed to be used shall also be included. Both finish and color shall be labeled and keyed to the elevations.
- i. A statement signed by the applicant indicating whether the project site is found on the Hazardous Waste and Substances Sites List pursuant to California Government Code Section 65962.5.
- j. Complete the Impervious Surface Area Calculation Sheet.
- k. Environmental Impact Assessment (EIA) Questionnaire.

- 1. When a developer elects for his/her own benefit to proceed with preliminary and precise site plan approval simultaneously, he/she must submit a Letter of Consent to Combine Preliminary and Precise Plan Approval, signed by the applicant (Attachment “F”).
- m. A statement of Best Management Practices (BMP’s) appropriate for the proposed development to prohibit pollutants from entering into storm water runoff. The BMP statement shall include measures for construction, long term operation, and maintenance of the project.

**Hearing Notification:** The City will notify all property owners, as well as business and residential tenants within the appropriate radius of your project site. Most projects require a 300-foot radius, while some require 1,000-foot based on the sensitivity of the project and the level of community input anticipated or required.

As with all other costs, you will be billed for staff time to research, create and label the required postcards. If the public hearing is delayed for an extended period of time after notices for your project have been mailed, you will be charged the cost to re-mail postcards.

**Materials:** The remainder of the noticing costs are for the price of materials, including cardstock, labels and postage. We estimate materials to cost ***44 cents per postcard***.

**Example:** If there were 85 notices mailed for your project (the average number of notices for planning projects), your cost will be:

1/2 hour of staff time	\$28.00
85 postcards @ 44 cents each	\$37.40
Total Cost	\$65.40

**Schedule/Time Line:** When an application is filed, the project will be tentatively scheduled for a Planning Commission hearing date at least 45 days later (28 days if no environmental impact assessment is required). Planning Commission meetings are held on the 2nd and 4th Thursdays of each month, except in November and December. Check with the Community Development Department regarding the schedule for Commission hearing dates in November and December.

An applicant meeting with the staff planner assigned to the project will be tentatively scheduled at the time an application is filed, for a date approximately three weeks later.

The dates of the Commission hearing and applicant meeting will be confirmed by letter. The applicant and other project representatives should plan on attending the Commission hearing and applicant meeting.

Before the applicant meeting, the project will be reviewed by the City Technical Coordinating Committee (CTCC) for general ordinance and policy compliance. The CTCC will also determine whether application materials are complete and whether additional environmental studies are required.

Any issues identified by the CTCC or staff planner will be discussed during the applicant meeting. If it is determined the application is incomplete, the staff planner will let the applicant know at or before the applicant meeting. If additional information or revised materials are required, the tentative Planning Commission hearing date may have to be changed. Additional information and revised materials must be submitted at least 21 days before the Planning Commission hearing date to allow for staff review.

**Appeals of Planning Commission Action:** Appeals of Planning Commission action are considered by the City Council. Appeals to the City Council must be submitted in writing to the City Clerk within 10 calendar days of the Planning Commission action. Your appeal letter must be accompanied by a \$50 appeal fee and must set forth (a) the specific action appealed from, (b) the specific grounds of the appeal and (c) the relief or action sought from the City Council. For additional details regarding appeals to the City Council, contact the City Clerk's office, 3300 Capitol Avenue, Fremont, CA 94538, phone: (510) 284-4060.

**Incomplete Applications:** An application is considered to be incomplete if any of the items checked on this information sheet have not been included. Processing of the application will be delayed until the submittal is determined to be complete.

### **Development Impact Fees:**

#### ***Commercial and Industrial Buildings***

Development impact fees may be assessed if your project involves new construction or additional floor area. If the project involves a change of use in a building, development impact fees may also be assessed. For example, a change from a warehouse to an industrial classification or a change from retail to an office would require Development Impact Fees be paid. A credit will be applied to the value of fees for the previous use category and a charge will be applied for the fees of the new use category. There are three categories of Development Impact fees assessed for commercial and industrial buildings: Traffic, Capital Facilities and Fire Protection Fees.

#### ***Residential Developments***

New residential dwellings (single family and multi-family projects) always trigger payment of Development Impact Fees. In addition to the fee categories assessed for commercial and industrial buildings, new residential construction also requires the payment of Park Facilities and Park Dedication In-Lieu fees.

For further information on Development Impact Fees, please refer to the Development Impact Fee schedule available in the Development Services Center or speak with a Development Services staff member.

**Fees:** The minimum deposit for your application for a planned district is \$\_\_\_\_\_ and is due at the time of submittal. The actual charge will be based on staff time required to process the application, including any appeal. Progress billings will be invoiced during the review of the project if charges exceed the minimum deposit. A refund will be invoiced at the completion of the project review if excess funds have been paid.



Requirements described on this sheet are subject to change. If you need additional information or clarification to prepare your submittal please contact the staff person who furnished you this sheet for further assistance.

Information sheet furnished by: \_\_\_\_\_ Phone: (510) 494- \_\_\_\_\_

for proposal: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

# ATTACHMENT “A”

File: PLN\_\_\_\_\_

## SUMMARY DEVELOPMENT TABLE

Project Name: _____ Related file numbers: _____ Land Use: _____ Location: _____ Developer: _____ Planner: _____ Engineer: _____ Architect: _____			
<b>RESIDENTIAL</b>			
<b>Project Area:</b> Gross area (including any area to be dedicated for public streets) _____ Acres Net (project area only, less area to be dedicated for public streets) _____ Acres			
<b>Dwelling Units:</b>	<b>Number</b>	<b>Per Gross Area</b>	<b>Density Per Gross Area</b>
Single Family Detached	_____	_____ du/ac	_____ du/ac
Single Family Attached	_____	_____ du/ac	_____ du/ac
Apartments (Rental)	_____	_____ du/ac	_____ du/ac
Condominium Units	_____	_____ du/ac	_____ du/ac
Below Market Rate Units	_____	_____ du/ac	_____ du/ac
Total	_____	_____ du/ac	_____ du/ac
<b>Area Distribution:</b>			
Building Coverage		_____ acres	_____ % net acres
Vehicle Parking and Circulation		_____ acres	_____ % net acres
Open Space (net site area minus building and vehicle areas)		_____ acres	_____ % net acres
Private Usable Open Space (screened patios, balconies and private yards)		_____ acres	_____ % net acres
Common Usable Open Space (with minimum dimension of 15'; less setback areas and areas between buildings and public streets)		_____ acres	_____ % net acres

File: PLN\_\_\_\_\_

<b>Parking Spaces:</b>  Ratio (on-site parking spaces per unit) _____ spaces per unit Off –street Parking _____ spaces per unit  Under building (not enclosed) _____ spaces per unit Carports _____ spaces per unit Garages _____ spaces per unit Open _____ spaces per unit  Resident Parking _____ spaces per unit Guest Parking _____ spaces per unit Boat and Trailer Parking _____ spaces per unit  On-street Parking _____ spaces per unit	
<b>Unit Composition:</b>    	
<b>Anticipated Price Range:</b>    	
<b>NONRESIDENTIAL</b>	
<b>Project Area (defined above):</b> Gross _____ Acres Net _____ Acres	
<b>Area Distribution:</b> Building Coverage _____ Acres Vehicle Parking and Circulation _____ Acres Open Space _____ Acres	_____ % net acres _____ % net acres _____ % net acres
<b>Statistics:</b> Total Gross Floor for each use _____ square feet Number of Parking Spaces _____ spaces	

## ATTACHMENT “B”

### LETTER OF CONSENT TO PLANNED DISTRICT STUDIES

To: Development & Environmental Services Director  
City of Fremont  
39550 Liberty Street  
P. O. Box 5006  
Fremont, CA 94537

I (We) hereby declare that I am (we are) the legal owner(s) of the property described:

[Legal or other adequate description of  
property(ies) proposed for Planned District]

and that I (we) consent that detailed studies may be undertaken by the Planning staff and Planning Commission of the City of Fremont for the development of the above described property as a Planned District.

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Print Name Date

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Print Name Date

## ATTACHMENT “C”

### LETTER OF CONSENT TO PLANNED DISTRICT ZONING REGULATIONS

To: Development & Environmental Services Director  
City of Fremont  
39550 Liberty Street  
P. O. Box 5006  
Fremont, CA 94537

I (We) hereby declare that I am (we are) the legal owner(s) of the property described:

[Legal or other adequate description of  
property(ies) proposed for Planned District]

and that, at the time of adoption of the ordinance establishing a Planned District for this property, I (we) agree:

1. That I (we) shall be bound by the conditions and regulations proposed, and which will be effective, within the district; and
2. To record such written agreement with the County Recorder.

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Signature \_\_\_\_\_ Date \_\_\_\_\_

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Print Name \_\_\_\_\_ Date \_\_\_\_\_

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Signature \_\_\_\_\_ Date \_\_\_\_\_

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Print Name \_\_\_\_\_ Date \_\_\_\_\_

## ATTACHMENT “D”

### LETTER OF ENDORSEMENT BY PROFESSIONAL TEAM

To: Development & Environmental Services Director  
City of Fremont  
39550 Liberty Street  
P. O. Box 5006  
Fremont, CA 94537

Enclosed is an application for approval of a Precise Planned District approval.

The application includes the following documents:

[Clearly identify by title, number  
of pages and date of preparation.]

We hereby certify:

1. That we have prepared the documents cited above; and
2. That we endorse the application represented by them. It reflects, within our professional competencies and considered judgment, an optimum solution for development of the site.

\_\_\_\_\_  
Urban Planner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Licensed Architect

\_\_\_\_\_  
Date

\_\_\_\_\_  
Licensed Land Surveyor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Registered Civil Engineer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Registered Landscape Architect

\_\_\_\_\_  
Date

## **ATTACHMENT “E”**

### **LETTER OF ENDORSEMENT BY URBAN PLANNER**

To: Development & Environmental Services Director  
City of Fremont  
39550 Liberty Street  
P. O. Box 5006  
Fremont, CA 94537

Enclosed is an application for approval of a Planned District .

The application includes the following documents:

[Clearly identify by title, number  
of pages and date of preparation.]

I hereby certify:

1. That I am a qualified urban planner as defined below;
2. That I have prepared the documents cited above; and
3. That I endorse the application represented by these documents. It reflects, within my professional competency and considered judgment, an optimum solution for development of the site.

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Signature of Urban Planner

“Qualified Urban Planner” is defined as a professional planner holding full membership in the American Planning Association, or a planner who can demonstrate and document his or her experience as a person responsible for a comprehensive urban general plan funded under Section 701 of the United States Housing Act of 1954, as amended.

## **ATTACHMENT “F”**

### **LETTER OF CONSENT TO COMBINE PRELIMINARY AND PRECISE PLAN APPROVAL**

To: Development & Environmental Services Director  
City of Fremont  
39550 Liberty Street  
P. O. Box 5006  
Fremont, CA 94537

We hereby declare:

1. That I (we) have elected to combine the normal two-step (preliminary site plan and precise site plan) procedure for processing the enclosed Planned District proposal.
2. That I (we) understand and accept the financial risks associated with preparing detailed plans before consideration by the City Council of the basic concept of this development proposal.

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Signature of Applicant

Date